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Peter C. Williams

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EXAMINER

HEWITT, JAMES M

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

10/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/605.348

EXAMINER

ART UNIT

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20071010

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Commissioner for Patents

-----NO NEW TIME PERIOD SET-----

In the response to the Notice of Non-Responsive Amendment mailed 6/5/07, Applicant asserts that claims 37 and 45 are generic to elected Species I and to embodiments including Figures 27 and 28. This is incorrect. Claims 37 and 45, given the limitations "said second ferrule will also deform to form a convex portion of said cylindrical interior wall in longitudinal section, said convex portion having at least a portion thereof which is axially spaced from said forward edge", are specific to the non-elected embodiment depicted in FIG. 27 and FIG. 28 and described in paragraph [0079]. Note also paragraphs [0042] and [0043]. The afore-cited limitations do not apply to the elected species. And no support exists in Applicant's disclosure to prove contrary. Thus, all pending claims remain withdrawn from consideration.

Reference should be had to MPEP 821.03, 818.01 and 818.02(a), which support the Examiner's holding of the 2/28/07 amendment and the instant reply to be non-responsive.

For the above reasons, the reply filed on 8/6/07 is not fully responsive to the prior Office Action. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

JMH

JAMES M. HEWITT
PRIMARY EXAMINER